IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.28960 of 2008
BINOD MEHTA, Son of Harilal Mehta,
Resident of Village- Mokama, P.S.- Dhamdaha,
District- Purnea :----------Petitioner.
Versus
THE STATE OF BIHAR:----Opposite Party.

For the petitioner : Mr. Sanjeev Kumar, Advocate.
For the Informant : Mr. Ravi Bhushan Prasad, Advocate.
For the State : Mr. Nitya Nand Tiwari, A.P.P.

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5. 04.12.2008. Heard learned counsel for the petitioner, State and the informant.

Petitioner is an accused in a case under Section 307/34 of the Penal Code and Section 27 of the Arms Act. He is named in the First Information Report as one who had inflicted firearm injury on the arm of the injured. It is submitted on behalf of the petitioner that the injury-report is not on record. Counsel for the informant, however, with reference to statement made in paragraph 53 of the case diary states that the doctor had undertaken before the Investigating Officer of the case that he shall produce the injury-report in the court itself.

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In view of such fact reported in paragraph 53 of the case diary, I am not inclined to accept the submission of the counsel for the petitioner that there is no injury-report on record. Further, petitioner appears to be absconder of about one year. In the circumstances, I am not inclined to release him on bail. His prayer for bail is, accordingly, rejected, however, with liberty to renew prayer for bail after completing one year in jail custody.

(V.N.Sinha,J.)

P.K.P.

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